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60th Congress, 2d Session | SENATE | Document No. 765

WILLIAM PINKNEY WHYTE

(Late a Senator from Maryland)

MEMORIAL ADDRESSES

Sixtieth Congress
Second Session

SENATE OF THE UNITED STATES
January 16, 1909

HOUSE OF REPRESENTATIVES
February 14, 1909

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DEATH OF SENATOR WILLIAM PINKNEY WHYTE

PROCEEDINGS IN THE SENATE

WEDNESDAY, *March 18, 1908.*

The Chaplain, Rev. Edward E. Hale, offered the following prayer:

The law of the spirit of life in Christ Jesus hath made us free from the law and of death.

* * * * * * *

For we know that if the earthly house of our tabernacle be dissolved, we have a building from God—a house not made with hands, eternal in the heavens.

* * * * * * *

We are always of good courage and are willing rather to be absent from the body and to be present with the Lord.

Even so, Father, come to us. We are Thy children. In life or in death, in strength or in weakness, we can always come to Thee for a Father's voice; we can always rest on a Father's arm.

Father, we ask Thy blessing upon those of his own household, who watched over his illness and who see his face in death. For ourselves, his associates here, we thank Thee for a life which he has given to the service of his country, and we ask Thee to bless us and lift us up, that we may all stand in the presence of our God and of this nation, that each man may consecrate life to heaven and to earth together. These two worlds are one world, and the law of the Spirit of Life makes us free from the fear of death.

Go with us where we go. Stay with us where we stay. We are praying for the Congress, for the nation, Father, for all who loved him and honored him, and for all who prize the government of law, in Christ Jesus.

Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, on earth as it is done in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation; but deliver us from evil; for Thine is the kingdom and the power and the glory, forever. Amen.

Mr. RAYNER. Mr. President, it is with feelings of profound sorrow that I announce to the Senate the death of the Hon. WILLIAM PINKNEY WHYTE, the distinguished Senator from Maryland. He died last night at his home in Baltimore at 7 o'clock. I had observed within the last few weeks the plainest evidence of his failing health, but, knowing his speedy powers of recuperation, I had strong hopes that he would rally from the attack from which he was suffering. It was otherwise decreed, and, after a long life of remarkable achievements and singular usefulness to his State and to his country, he has passed away.

This is not the occasion to pay the proper tribute to his memory, but it behooves me to say that the State whose noblest aims and best traditions he has so truly represented will mourn him as it would mourn no other of its illustrious sons. From one end of Maryland to the other he will be missed from amongst us as perhaps no other man has ever been missed before. He was the idol of our people.

He was beloved by all classes of the community, and as I left my home this morning the city that he loved and with whose progress his own life was interwoven seemed to be cast down and pervaded with a full consciousness of the great loss

that it has sustained. In his palmy days in certain departments of his profession he stood without a peer. In times gone by of great political turbulence and conflict he had no equal as an orator upon the hustings, and his popularity with every element of the people was unsurpassed in my day.

Back of it all there was that which is greater than learning and success and eloquence and popularity, and that was his stainless and unblemished character in public and in private life. It was an honor and a victory to die as he did. Conscious until within a moment of his death, it must have been a glorious realization, inexpressible in words, for him to feel that as he passed into the presence of his Maker he could look back upon a life dedicated to the performance of public and private duties in strict accord with the prompting of his heart and the dictates of his conscience.

Mr. President, genius and ability may perish without hardly a record of their work or a remembrance of their deeds, but a character like his never dies; it stands forth as a beacon light, shedding its rays upon the generations that are to come and casting its halo upon the shores of eternity.

Mr. President, I now send to the desk and ask for the immediate consideration and adoption of the following resolutions.

The VICE-PRESIDENT. The resolutions will be read by the Secretary.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. WILLIAM PINKNEY WHYTE, late a Senator from the State of Maryland.

Resolved, That the Secretary communicate these proceedings to the House of Representatives and transmit a copy thereof to the family of the deceased Senator, and that as a further mark of respect to his memory the Senate do now adjourn.

The VICE-PRESIDENT. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to; and (at 12 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 19, 1908, at 12 o'clock meridian.

TUESDAY, *January 5, 1909.*

Mr. RAYNER. Mr. President, I desire to give notice that on Saturday, January 16, I shall ask the Senate to consider resolutions commemorative of the life and character of Hon. WILLIAM PINKNEY WHYTE, late a Senator from the State of Maryland.

SATURDAY, *January 16, 1909.*

The Senate met at 1.30 o'clock p. m.

The Chaplain, Rev. Edward E. Hale, offered the following prayer:

The everlasting God, the Lord, Creator of the ends of the earth, fainteth not, neither is weary; there is no searching of His understanding. He giveth power to the faint, and to him that hath no might He giveth strength.

* * * * * * *

Even the youth shall faint and be weary, and the old men shall utterly fail. But they that wait upon the Lord shall renew their strength. They shall mount on wings as eagles; they shall run and not be weary; they shall walk and not faint.

Let us pray.

Father of life, we thank Thee that in the memories of death and of sickness we learn the lesson of life; that we live and move and have our being in our God. And here to-day, as we meet to go back upon the history of the past and to know how Thy children have served Thee in the days that have gone by, we ask Thee for this whole Nation to quicken the memory of the history of these centuries; how this Nation has relied upon her children and found them in their places; how men, and women, and boys, and girls have served their country,

have lived to Thy glory, and have died without fear. Not in vain for us that Thou art renewing the knowledge of Thy Gospel every day and every year of our lives.

Show us, Father, how we can live in the Spirit, how we can walk in the Spirit, if we enter into the service of God, which is the service of mankind. We ask it in Christ Jesus.

Our Father who art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our traspasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, for ever and ever. Amen.

Mr. RAYNER. Mr. President, I offer the resolutions which I send to the desk.

The VICE-PRESIDENT. The Senator from Maryland submits resolutions, which will be read by the Secretary.

The Secretary read the resolutions, as follows:

Resolved, That it is with deep regret and profound sorrow that the Senate has heard the announcement of the death of Hon. WILLIAM PINKNEY WHYTE, late a Senator from the State of Maryland.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended, to enable his associates to pay fitting tribute to his high character and distinguished services.

Resolved, That the Secretary transmit to the family of the deceased a copy of these resolutions, with the action of the Senate thereon.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The resolutions were considered by unanimous consent and unanimously agreed to.

MEMORIAL ADDRESSES

ADDRESS OF MR. SMITH, OF MARYLAND

Mr. PRESIDENT: The stoutest courage and the most gifted tongue might well be overwhelmed on this occasion by the impossibility of doing justice to the character and memory of WILLIAM PINKNEY WHYTE, who was lately a Member of this body, taking an active part in its deliberations, buoyantly supporting, as he did, the weight of great cares and many years, bearing the respect and veneration of all, the tender love of many friends, shortly before his death decorated by a grateful constituency with the badge of their confidence engraved by their votes so deep upon the tablets of history as to far outlive his life, crowned with honors such as few can boast, fearing none but God.

But in the judgment of those, who, like myself, enjoyed the privilege of knowing WILLIAM PINKNEY WHYTE, the best tribute to his memory is an unembellished narrative, which faithfully describes his rare qualities of character and intellect, simply portraying him as he was, for his own works speak more eloquently for him than any words of ours can do.

To tell in detail the history of Senator WHYTE's professional career is to write the history of a large part of the more important litigation in Maryland for over sixty years. He was a lawyer by heredity, nature, and training. He was the grandson of the great lawyer and statesman, William Pinkney, and worthily sustained his grandfather's reputation, as the Maryland reports, the reports of the United States Supreme Court, and the political history of Maryland and of the Nation for the last sixty years abundantly show.

Senator WHYTE was born in Baltimore, August 9, 1824. He was of distinguished ancestry on both sides; and while his parents during his early life were by no means rich, they were nevertheless able to give him good educational advantages, including a course at the Harvard Law School. This, with a preceding period spent in study under the tutelage of Brown & Brune, at that time perhaps the leading lawyers of Baltimore, and a subsequent period spent in the office of Judge John Glenn, amply fitted him to hold the commanding position among men of his profession, which was easily his for two generations.

While his youth was free alike from the enervating effect of wealth and from the struggle with adverse conditions, such as often make strong men stronger and crush the weak, his was a rugged, ambitious, and assertive nature, which would easily have survived either extreme, and needed no tempering to make it pure and strong.

The worthy and the good in his cultured and intellectual ancestors were perpetuated in him, so that to a remarkably strong and vigorous physique was added a virile, active mind, mature in its development and sure in its conclusions.

After having worked two years in the office of Peabody, Riggs & Co. as a clerk, and having studied law, we find him in 1847, at the age of 23, for more than a year a member of the bar and also a member of the Maryland legislature, as well as happily married to his first wife, who was the daughter of Levi Hollingsworth, a prominent merchant of Baltimore.

Thus almost simultaneously he began his professional and political career, both crowned with success and honors never before equaled by any son of his native State, and also his domestic life, which was blessed with happiness unshaken and unbroken until he was bowed by the weight of a great domestic sorrow during the year 1880, in the death of Mrs. Whyte.

No other Marylander ever lived a life so filled to the brim with public honors as was his, or perhaps gained a higher place in the esteem of his fellow-citizens.

His unique public service began, as I have said, in 1847–48, as a delegate from Baltimore to the Maryland legislature.

Six years later he was elected to the office of comptroller of the state treasury, where, a youth almost that he was, he made a distinct impression, lasting to this day, because of the marked ability shown by him in reorganizing and simplifying the book-keeping and financial system of the State.

In 1851 he was nominated by the Democrats for Congress, but was defeated by the Whig candidate, T. Yates Walsh, by a small plurality.

In 1857 he was again nominated for Congress, having refused to accept a renomination for state comptroller, and this time was defeated by the Know-Nothing candidate. Senator WHYTE contested the election, and after a wearisome delay and a bitter fight, the House of Representatives, by a vote of 106 to 97, rejected the report of the Elections Committee declaring the seat held by his opponent to be vacant.

In 1868 he was a delegate to the national convention which nominated Horatio Seymour and Francis P. Blair for President and Vice-President of the United States.

In 1871 he was elected governor of Maryland for a term of four years, and was made mayor of Baltimore without organized opposition in 1881.

Without solicitation on his part he was nominated and later elected by the Democrats as attorney-general of Maryland in 1887, and thereafter was again called upon to serve his city as chairman of the important commission appointed to revise and redraft the charter of Baltimore.

While it would thus seem he had spent his full share of time and energy in the public service, he was not permitted to rest

or to devote himself to his practice, so that he might accumulate some financial resources for his later years, for in 1900 he was again called upon to serve the public, and this time as city solicitor of Baltimore.

He was at three different periods a member of this body. In 1868 he was appointed by Governor Swann to fill out the unexpired term of Reverdy Johnson, who had resigned his seat to accept the appointment from President Johnson as minister to the Court of St. James.

In 1875, having been elected by the Maryland general assembly, he again took his seat in this Chamber; and thirty-one years later—in 1906—he reentered these doors, by appointment of the governor of Maryland for the interval until the legislature met, as the successor of the late Senator Arthur Pue Gorman, to end his days a member of this body.

At the primary election next ensuing his appointment as Senator, for the selection by the Democratic party of its candidates for United States Senators, there being two positions to fill from Maryland, factional discord, the selfish aspirations of others, and even diversity of opinion and party councils, disappeared, like frost in the sunshine, before the heat of the popular approval of his candidacy by the people throughout Maryland.

As a result, he was nominated for the term ending the 4th of next March by direct vote of his party at the first primary election ever held in Maryland for such a purpose, not only without opposition, but with a spirit of enthusiasm which was a fitting tribute to the service and character of any man, however exalted, and which must have brought fresh warmth to his aged heart, so soon to feel the chill of death, and fresh pride to his great mind, so soon to realize the glories of his Lord.

Senator WHYTE first entered this Chamber while the minds of its members were still inflamed by the recent impeachment proceedings of President Johnson and when our Nation was

sore and bleeding after the strife of four years' civil war. At that time he stood with Thomas A. Hendricks and the Democratic minority in support of the President, who had incurred the bitter animosity of Sumner, Conkling, Edmunds, Morton, and the giant leaders of the majority of that day.

But even during his first short service in the Senate he did not shrink from any encounter when he heard the call of duty, no matter how powerful his antagonists or how heavy the odds against him.

A single incident, perhaps long since lost to sight and public memory in the high tide of stirring events of a trying period, will serve to prove the worth of his moral courage and effective argument.

He entered here to find the conflict between Andrew Johnson and the radical Republican majority of this body at its fiercest extreme. Any expression of sympathy for the President was sufficient to blast its author's influence and becloud his subsequent service with angry suspicion and open resentment. The Nation was scarcely more than two hostile camps, one overwhelmed, torn, and disarmed, it is true, and the other dominant, compact, victorious. Magnanimity, generosity, confidence, even justice, were well-nigh obsolete national virtues, for men's passions ran high, and for a time ran riot with their finer feelings and wiser statesmanship. In the Senate the majority, powerful in numbers, in leadership, and in intellectual capacity, completely controlled the situation, and the handful of Senators composing the minority, able men that they were, could protest, and only protest, and submit.

It was at this stage that President Johnson in December, 1868, submitted his message to the Senate; and before the opening sentences had been read Senator Conness, of California, who within the last week has died, moved to dispense with the further reading of the message, at the same time declaring it in

all respects to be an offensive document, and that time could be better employed than in hearing it read.

Scarcely had Senator Conness taken his seat when Senator WHYTE arose to defend the President in discharging a public duty in obedience to the Constitution in submitting what he, in the performance of that duty, deemed a proper communication to a coordinate branch of the Government and that the President was entitled to the Senate's attention and respect.

I trust—

He said—

that for the sake of maintaining that respectful attention which the country demands on the part of the legislative branch of this Government the message of the President may be read in the hearing of the Senate. He is called upon to discharge a great public duty, and in pursuance of the demands made upon him by the Constitution of the United States he seeks to give information to the Senate and House of Representatives of the state of the country. He may use language strong in its character, as Senators often in the discussion of subjects before the Senate may do. He may use language that may be irritating. But, nevertheless, he occupies the high and exalted position of President of the United States. He is communicating in the discharge of his duty that which he conceives ought to be communicated to this, a coordinate branch of the Government; and I trust that at this, the beginning of a new session, or a continued session of Congress, we may have a cordiality in sentiment, or at least a respectful attention to the views and sentiments of those who may differ with regard to the manner in which the Government shall be conducted. I trust, sir, that the motion made by the Senator from California may not prevail.

And the motion did not prevail, for in spite of their early opposition some of the master minds of the majority, notably Senator Edmunds and Senator Sumner, yielded to the force of Senator WHYTE'S position. Though I know of no contemporaneous account of the incident, we may be sure that young though he was, both in years and in point of service as a member of the Senate, that he defended his position with the same intellectual force, the same hardy, confident courage, the same all-compelling personal attraction which marked all his public utterances.

During his second service as a member of this body, beginning in 1875, he quite fulfilled the promise of his youth and the hopes of his friends for a useful and distinguished career, as I have no doubt the senior Senator from Colorado, the only member of this body who served with Senator WHYTE at that period, easily recalls.

His eloquence, his energy, his personal magnetism and transparent honesty carried him far toward leadership on this floor.

His knowledge of the country's needs, his broad, dispassionate view of public questions, his wise conservatism, and his rare legal attainments did much for the Nation, and established his claim to rank among the great men of our times.

Senator WHYTE's career as a lawyer may best be appreciated and best expressed by my colleague. His utterances as a member of the Senate, his discussion of the currency question, his fight against the Electoral Commission, his service as a member of the committee of Congress to prepare the act establishing substantially the present form of government of the District of Columbia, his fight against ship subsidies, and many others, as well as his speech delivered here last February, forty years after he first addressed the Senate, are all matters of permanent official record, accessible alike to all. There is no need to speak of them.

But for the benefit of those present whose acquaintance with Senator WHYTE was limited to his last short service here, and for those who will come after us, I wish I could frame some worthy description of those personal, human characteristics of his—qualities which require the genius of a Lord Macaulay to portray, so vivid and so rare were they as developed in him by nature, by discipline, and by his faith in religion. However, I must perforce leave them unperpetuated by any lasting or worthy memorial, to finally fade and fail with the decaying memories of those who knew him.

Then, too, I owe him so much for his unvarying personal and political friendship that should I speak of him as I feel he deserves I fear perhaps some may think that my true and sincere esteem for him and for his memory may seem false in this, that any spoken praise of him by me finds inspiration in my own flattered vanity rather than in his worth.

No one who knows the people of Maryland, however, can doubt that my feeling for him was shared by a large majority of the people of his State, and the reason for his well-nigh universal popularity and respect in his own State is not hard to find.

It was impossible for anyone to resist the charm of his old-fashioned manners, recognizing in their exquisite taste and beaming kindliness no distinction of social caste or of age. Caring little for money himself, he loved no man the less who was without it. Even his quaint law offices on the first floor of a very old brick house, once the home of the late Chief Justice Taney, and which he had occupied continuously for over half a century, seemed to link him to a fast-disappearing type of the picturesque past. There, with fine scorn for modern office furniture and conveniences, he laboriously wrote his letters, prepared his legal papers, and his many public speeches with his own pen.

Work had no terror for him, and at the time of his death he had many cases pending; and even on the day of his death he did not rest, but inquired for his mail and for news from the Senate, so that it may be said that he literally almost died at his work.

Like all strong men, he made some bitter enemies; and like all men, who are neither more nor less than human, he cherished a few implacable antagonisms.

Those who have seen something of the malicious and loose statements made in the heat of political campaigns can well appreciate the force of the testimonial to his lofty character and almost perfect domestic life inadvertently furnished by one of his most bitter and ingenious political enemies, one who boasted consummate skill in the use of invective.

This gentleman was urged by his associates to make a public attack on Senator WHYTE, and he in desperation of success said:

> Attack him! What can I say about him? He is a model citizen, a model father, a model son, and a model husband, and he hasn't a bad habit in the world.

It was as a political speaker that Senator WHYTE was best known and best appreciated by his own people, and where, so it seemed to me, he was most in his element. He never failed to attract an audience limited in size only by the capacity of the hall.

As a rule he spoke without notes, and when warmed up to his subject none could surpass him in dramatic effect. His tall, erect frame was all animation then, and seemed possessed with an energy which apparently defied fatigue. His voice was strong and full as he would hurl forth a veritable torrent of vigorous argument, interspersed with occasional touches of broad humor which, as handled by him, in no way seemed to detract from the dignity and earnestness of his address.

His logic and power must have carried consternation to the hearts of his opponents as he usually carried conviction to the minds of his hearers, for surely I have never seen a combination of great physical strength and mental capacity more symmetrical in development or more harmoniously proportioned.

And all his powers seemed to grow and gather force as he spoke, so that he simply dominated his audiences, and none could hear him out and doubt his power or his sincerity or the fact that in that great heart of his there was no hiding place for fear.

Until within a few days of his death, Senator WHYTE did not seem to feel at all the weight of his 83 years. Then he would speak lightly of that which evidently bore heavily upon his mind, as he marked his increasing loss of weight. Then he would joeosely apologize for taking a little extra eare of himself, as he explained, because "he was getting to be an old man."

But still his indomitable spirit sustained unimpaired the effect of his slowly progressive physical weakness and drove him on to a point beyond his strength to bear, until he might have truly said of himself, in reviewing his long life, with its ceaseless aetivity in the light of his ambition to triumph over his physical ills:

> Much have I seen and known; cities of men,
> And manners, climates, councils, governments;
> Myself not least, but honour'd of them all.
> * * * * *
> Tho' much is taken, much abides; and tho'
> We are not now that strength which in old days
> Moved earth and heaven; that which we are, we are;
> One equal temper of heroic hearts,
> Made weak by time and fate, but strong in will
> To strive, to seek, to find, and not to yield.

He showed no sign of aetual illness until Friday, the 13th day of last March, when he left this Chamber for his home in Baltimore, a stricken man. His trouble was diagnosed as erysipelas. The disease did not assume an especially virulent form until late the following Tuesday afternoon, when he rapidly grew worse. Then, surrounded by his children, grandchildren, and stepchildren—children of his second wife, who predeceased him—conscious almost to the last, manifesting to the end a gentle consideration for others, he closed the wonderful earthly career which had earned for him that title which he loved best, "The Grand Old Man of Maryland," and passed quietly away, serene in his confident faith in the life everlasting.

Address of Mr. Teller, of Colorado

Mr. President: After the two very eloquent and deserved tributes which have been paid to the memory of Senator Whyte by the Senators from Maryland, I shall on this occasion content myself with a very few words. The reference made by the senior Senator from Maryland [Mr. Rayner] to the part taken by Senator Whyte in the deliberations of this body in the great contest which preceded the inauguration of President Hayes has recalled vividly to my mind the services he rendered as a Member of this body, and particularly the zeal and power with which he presented his views on that occasion, when the Senate and the whole country to a great extent were disturbed and uncertain as to the result.

My acquaintance with Senator Whyte began when I entered this body on the 4th of December, 1876, and with my acquaintance began my friendship for him, which lasted until his days were ended as a Member of this body.

Senator Whyte first became a Member of the Senate by appointment of the governor of Maryland July 14, 1868, to fill the place of Reverdy Johnson, who resigned his seat in the Senate to become minister to England, and he served in that capacity until the 4th of March, 1869, when he resumed the practice of his profession. Soon after the expiration of his term he was elected governor of Maryland, and in 1874 resigned his position as governor and was elected to the Senate. He entered the Senate on the 4th of March, 1875, and served out the full term ending March 4, 1881. He was a lawyer of marked ability, and after the expiration of his term he resumed the practice of law in the city of Baltimore, and soon afterwards was elected mayor of Baltimore without opposition.

Senator WHYTE came of a good family. His maternal grandfather was a distinguished citizen of Maryland; an attorney-general of the State; a joint minister to Great Britain with James Monroe in 1806 and 1807; Attorney-General of the United States from 1811 to 1814; minister to the two Sicilies; minister plenipotentiary to Russia from 1816 to 1818, and was elected to the United States Senate January 4, 1820, and served until his death, February 22, 1822.

On the death of Senator Gorman Mr. WHYTE was again, on the 8th of June, 1906, appointed by the governor to fill the vacancy, and on the 11th day of that month entered the Senate. He was subsequently elected by the legislature of his State to serve out the unexpired time of Senator Gorman.

Among the Members of the Senate of the Forty-fourth Congress at the time of my entrance into this body, and of which Senator WHYTE was a Member, were the following: Thomas F. Bayard, of Delaware; Logan, of Illinois; McDonald and Morton, of Indiana; Allison, of Iowa; Ingalls, of Kansas; Hannibal Hamlin, of Maine; Boutwell and Dawes, of Massachusetts; Bogy and Cockrell, of Missouri; Frelinghuysen, of New Jersey; Conkling and Kernan, of New York; Sherman and Thurman, of Ohio; Cameron and Wallace, of Pennsylvania; Edmunds and Morrill, of Vermont; Cameron and Howe, of Wisconsin; Anthony and Burnside, of Rhode Island, and Jones, of Nevada.

I need not say that the Forty-fourth Congress was, in membership, a notable one, and Senator WHYTE was an active and influential Member of that Congress. As a constitutional lawyer he took high rank from his entrance into this body. He was a student in all things pertaining to our history and the character of our institutions. He had decided views as to the powers and duties of the General Government. He was familiar with the Constitution and the construction that the Supreme Court

of the United States had put on that instrument, and was vigilant that nothing should be done by the State or Nation to lessen in any degree the power conferred on the Nation or reserved to the States. He was a believer in the rights of the States to exercise complete sovereignty when such sovereignty had not been delegated to the Nation and when the welfare and interest of the State demanded such exercise.

He was a citizen of whom the people of his State were proud, as is shown by his last election to the Senate at an age at which most men are required to quit official life. His death was a loss to the Senate, and was keenly felt by his associates in this body. As a Senator he will be remembered as wise and learned; as a man, as courteous in all his intercourse with his fellows. He was a scholar, a statesman, a gentleman—a gentleman in all the word implies.

Address of Mr. Clapp, of Minnesota

Mr. President: Although not among those originally expected to participate in these services, I could not let this occasion pass without paying my feeble tribute to the memory of Senator Whyte unless I was false to one of the closest and tenderest associations and friendships of my life, for, sir, although many years separated us in age and while he was here only a short time after his return to the Senate, for some reason—I never knew why or how—it was my rare privilege to enjoy an intimate association with Senator Whyte. It was in that association that I learned to know him, to appreciate his spotless character, and to recognize his rare ability. But beyond even character and ability what most won my admiration was the man's courage.

It was my privilege to sit in this Chamber and listen to his last great speech, and while, being of a different political party, I could not subscribe to all that he said, while I realized that in the inevitable trend of affairs on the part of a great people in working out a national destiny we must of necessity pass beyond and perhaps submerge some of the earlier constitutional traditions, I could but feel that it would be far better for this country to-day if there was a force of sentiment and purpose along the line which he pursued in that great argument serving as a check and a balance wheel, a factor to conserve the trend and direction of this people in their progress along a broader and more liberal interpretation of the Constitution. I fully agree with the senior Senator from Maryland [Mr. Rayner] that if the time ever comes when disaster shall overwhelm us

it will be because we have not listened to admonitions similar to those embodied in that remarkable speech of his—the last great effort of his life in this Chamber.

Mr. President, it was not that alone which so strongly appealed to me. I have among the most cherished papers which I preserve the memoranda of his speech, in which he raised his voice against intolerance. It was, sir, this courage, this willingness to stand against the trend of conditions to-day, this willingness to voice, out of his great genius, his experience, and his devotion to the Constitution, what he believed just and right, that so won my admiration and which, while years separated us, made us, during the period of his brief return to the Senate, such close and intimate friends.

I only wish, Mr. President, that occasion had presented the opportunity for a more fitting tribute to his memory. The few words I have uttered have come from the heart and are not the product of preparation. But, sir, above and beyond this was the grand Christian character of that man, and as he laid down his armor, as his eyes closed upon the scenes of this life he looked forward to another; and as we recall the splendid character of the man we may well say of him:

> The weary sun hath made a golden set,
> And, by the bright track of his fiery car,
> Gives signal of a goodly day to-morrow.

Address of Mr. Rayner, of Maryland

Mr. President: We are here to-day to pay the last tribute to the memory of our departed colleague, the Hon. William Pinkney Whyte, Senator from Maryland.

The word "honorable" has had a varied signification in the political nomenclature of this country. It often has no meaning, and is frequently attached to names that have very little claim to its title. In his case it has a double signification. His life was full of honors, conferred upon him by the people of his State, and as he bore them successively his public and private career was as honorable in all of its acts and deeds as that of any man who ever served his people in the history of this country.

Senator Whyte was a remarkable man in point of character and ability, and certainly not in my day has our State ever produced anyone who had so firm a hold upon popular confidence and affection as he did. In fact, looking over the history of Maryland, I can safely say, taking his record as a unit—at the bar and in the various professional employments that he filled and the high places that he honored and in the universal esteem that he was held by our people for over half a century—I know of no one who occupied a higher or more distinguished position than he did in the annals of our State.

Coming from a distinguished ancestry, of which fact he was never known to boast and never even to allude to, the representative of an illustrious and honored lineage that was the pride of Maryland in its earlier days and that will continue to reflect glory upon her in all the years to come, it might be supposed that such a descent and such an environment became his easy passports to favor when he entered upon the public career that he had planned for himself in the pursuit of an

honorable ambition. This was not the case. He seemed to throw off at the very outset of his career every help and claim that such an influence might be supposed to give and to practically proclaim to the people that he desired nothing from their hands except that which his merits entitled him to. He had made up his mind at an early age to work by honest toil from the bottom round of the ladder to the top, if possible, and never to depend in the slightest degree upon any extraneous influence to lift him into places that his qualifications did not entitle him to hold.

He filled so many posts of honor with such lasting credit that it would be almost impossible to sketch in this brief presentation the history of all that he did and the great and arduous work of his lifetime that he accomplished. It is sufficient to say that he was either elected or appointed to every office that the State of Maryland could give him and which he was willing to accept.

He had a business and a professional and a political training combined. Commencing his active life in one of the largest commercial houses in America, he acquired an experience and knowledge that were of invaluable service to him afterwards in his profession and that for years gave him a reputation in certain of its departments unsurpassed by any of his brethren at the bar. In commercial practice, when it became necessary to investigate in detail the accuracy of complicated accounts, he was the most marvelous hand at our bar to unravel and explain them and discover the slightest mistake or inaccurate entries that they contained.

I remember once an important case in which I was associated with him, in which a large amount of money was involved, embracing partnership settlements that had run over a long period of years, upon which the auditor of one of our courts, himself an expert accountant, had stated an account and certified its accuracy to the court, and which Senator WHYTE had set aside

through the discovery of an error in bookkeeping that had not occurred to any one of the numerous counsel who were connected with the case.

When it came to the trial of cases before juries, civil and criminal, when he was at the height of his practice, he stood without a peer. For years and years he was the leading counsel in almost every great criminal case that was tried in our courts, and his success was so wonderful that it would sound like fiction if I were to attempt to recapitulate the verdicts that he secured and the victories that he won. In his palmy days upon the hustings he was incomparable. As has been well said by my colleague, with a commanding presence, with a captivating voice, with ready wit, and a memory for events and individual recollections that seemed to grow stronger as he advanced in years, Senator WHYTE held hundreds of audiences spellbound by the charm and magic of his eloquence.

A man may possess all of these great gifts and still not be personally popular with the masses. This was not his case, however. He was the idol of his fellow-citizens, because he was always easy of approach, never exclusive in the slightest degree, and at all times willing to place himself upon a par with the humblest of his constituents with whom he came in contact.

He possessed another gift that was with him until his death. He had the greatest capacity for untiring and systematic work of anyone whom I ever knew. For years and years I saw him almost daily, but I never saw him disengaged or idle. He was always at work on something. And during almost the whole of the time he held public office, with the exception perhaps of the period during which he was governor of the State, he never relinquished his professional work, but carried it right along, accomplishing the rare feat of being able to bestow his attention upon his practice and at the same time faithfully and assiduously perform the great public trusts that had been committed

to him. And, Mr. President, he did loyally perform them. No matter how minute the detail, how tiresome the inquiry, or how laborious the examination, no subject was ever committed to his charge to which he did not devote the concentrated powers of his great intellect.

He filled the office of comptroller of the State of Maryland; he was governor of the State; he held important posts as legal adviser for the municipality of Baltimore; he was mayor of the city; he was attorney-general of Maryland; and three times a Member of this body—once to fill the unexpired term of Reverdy Johnson by appointment, second by election of the general assembly, and third by appointment of Governor Warfield to fill the unexpired term of Senator Gorman.

During the whole of his political career he was the type and representative of a generation of constitutional Democrats, who have shed imperishable luster and renown upon the history of their country. He believed in the Constitution of his country as it was written and intended, and not as it has been perverted and disfigured. He was not what we may designate a strict constructionist of its provisions, because he always believed in putting into exercise the powers of the Federal Government whenever the emergency demanded it. He was, however, irrevocably opposed to conferring upon the Federal Government powers that were never intended it should possess. And, so far as the rights of the States were concerned, he stood here in this body and elsewhere as a sentinel upon the watchtower, to protect them from invasion by sounding the alarm whenever an assault was attempted upon their institutions. In this political faith he lived, and in it he died.

There is but one Senator here now who was with him in those stormy and memorable days, the senior Senator from Colorado [Mr. Teller], whose voluntary absence from this body we shall all lament in the years to come. Beyond the Senate, however,

the people of Maryland and the Democracy of the Union will never forget the services that Senator WHYTE rendered in their behalf. If Democracy means anything at all, he illustrated it in its truest sense. Time and time again he lifted his voice in this Chamber without avail against political tyranny and oppression, and time and time again he thundered through this Hall the discarded warnings of the Constitution. His last effort in the Senate, when his clarion voice rang as it did in the days of yore, was upon the reserved rights of sovereign States. He pointed to the fact that the States were still sovereign when they acted within their own jurisdiction, and that no emergency justified a violation of their constitutional prerogative or a breach of their inherent rights. Inherent rights of the States and not inherent rights of the Union, was the precept of the creed at whose altars he worshiped. He threw aside with lofty disdain the vain conceit of an unwritten constitution which is bewildering the minds of some of our modern statesmen.

He stood upon the basic principle of a constitution with delegated and enumerated powers; and in so far as he was concerned, the billows of political opposition and adversity beat in vain against the bulwark he had reared. His political record affords an example worthy of the profoundest study and the closest emulation. Men like him, Mr. President, do not perish; they perish from the face of the earth, but they live upon the pages of immortality. I mean not merely that their names are honored and their deeds remembered, but that the impression that they have made is indelibly stamped upon the course of history. Their work becomes so interwoven with the spheres of action in which they labor that long after their departure the creation of their minds, even if not written upon the page of history, stamps itself imperishably upon succeeding generations. If the night of forgetfulness and decadence should ever overtake us in our political wanderings, names like his should

light and lure us back to the paths of honor and of duty as they flash and sparkle on the firmament.

It must not be inferred, however, Mr. President, from anything I have said that his political career was a placid one. Calmness and tranquillity were not the usual accompaniments of political contests when he led us on to battle in Maryland. Those were days of tumult and contention, when bitter charges were made, and feelings were inflamed, but through it all no one ever attacked the honor of the man. Let it be written down that no personal charge of opprobrium or of dishonor was ever brought against him by his most malignant foe. In one of these contests he waged it almost single handed. There was opposed to him an array of brilliant talent, comprising the flower of the Maryland bar, the foremost men upon the forum's field. A compromise was suggested before the lists were closed, but he refused to yield.

He was of heroic mold; and whether it be right or wrong, there was one political virtue in which he always gloried, and that was his gratitude to his friends. He did not belong to the school of statesmen who believe in using men to further their ambition and then sacrificing them when the occasion demanded it. He was not a theorist or an ingrate in politics, but his blood was warm for those who served him. In this contest he was the center of the storm and the shining mark of the enemy, and he went down to defeat. Defeat did not dismay him, and reverses did not intimidate him; and while his friends were still mourning over the disaster, he sprang unsullied back again to the hearts and confidence of the people, and there was no honor with which they could have endowed him that was not at his disposal.

I will not dwell upon the surroundings of his home. He possessed the deepest devotion for his family; and while he never had any ambition to accumulate a large fortune, he was

always solicitous for those around him and seemed to be perfectly satisfied if he was able to provide for them every comfort and indulgence they desired. In his own habits he was abstemious to a degree of absolute forbearance, and he pursued a life of self-denial and sacrifice that is rarely to be met with. There was something exquisite about the love he bore for those who were dear to him and the tender and touching care that he bestowed upon them. I was with him at one of the saddest scenes of his life, when his heart was rent in twain with grief and sorrow. I can never forget the way he bore his affliction. It was not the callous hyphilosop of stoicism. It was an absolute resignation and submission with a spirit of sublime fortitude to the divine will that left an impression upon me that I can never erase and that has often made me feel that of all his virtues I would rather possess this one, so that, imitating him when the shades of night are gathering around my fireside, my spirit could rise above the gloom and behold in its dying embers the reflected vision of a reunited home.

His was the philosophy of faith that never permitted him to question the great truths that are alone worth living and struggling and dying for, and without which human life would only culminate in despair. These truths were axiomatic with him. He never discussed them or allowed himself to doubt them, and he passed upon his journey to the shoreless sea with an unerring confidence in their realization that no reasoning could shake and no visitation of Providence could impair; and without which belief human life would be but the involuntary outcome of a cruel fate, absolutely purposeless and meaningless, with not a ray of divine love to illumine the impenetrable mystery.

Upon one occasion a great philosopher said to a great scientist:

> Your belief in a personal creator and in a future state is at war with your profession; it is all a myth and a fable, and you can not reconcile one with the other.

The answer came:

> Well, even if it be a fable, which I do not believe, it has led me to a better and a purer life. I cherish the ambition that this fable shall be my dying dream, and I will follow it to the grave.

Governor WHYTE in his religious belief was a man of the deepest devotion and the most profound convictions. While as a statesman he worshiped the cardinal principles of the Constitution, as a firm believer in the responsibility of man to God he followed with unfaltering footsteps to his end the cardinal principles of his faith and his church. In every step of his illustrious career there predominated that which is greater than anything he ever did, and that was his unyielding spirit of honor and integrity, which, with the great moral purpose that pervaded his life, enabled him to resist every possible temptation at any time to swerve from the path of duty. He was honest in the fullest and broadest acceptation of the term; honest to such a point of delicacy and refinement in his professional intercourse with his clients that he hardly ever placed a proper estimate upon the valuable services that he performed for them. And in his public life no one would ever have dared by any form of allurement even in the remotest degree to attempt to influence him in the discharge of his public functions.

Thus he lived and thus he died. With us his place will not be filled, in the present day at least. It would be difficult to emulate or imitate him, because Providence had given him a combination of virtues and of talents that rarely work in harmony with each other. He needs no monument to commemorate his life. In due time, however, I suppose our State will erect some memento in grateful acknowledgment of his services in her behalf. Such a testimonial, while it would perpetuate his memory, is not necessary to elevate him in the respect or esteem in which he was held by the community among whom he passed his days. His life needs no legend or inscription to

adorn it. He has built his own memorial. He has written upon the "eternal skies" the record of a stainless name.

Mr. RAYNER. Mr. President, I move that, as a further mark of respect to the memory of the deceased, the Senate adjourn.

The motion was unanimously agreed to; and (at 2 o'clock and 39 minutes p. m.) the Senate adjourned until Monday, January 18, 1909, at 12 o'clock meridian.

MONDAY, *February 15, 1909.*

A message from the House of Representatives transmitted resolutions of the House commemorative of the life and public services of Hon. WILLIAM PINKNEY WHYTE, late a Senator from the State of Maryland.

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PROCEEDINGS IN THE HOUSE

WEDNESDAY, *March 18, 1908*

The House met at 12 o'clock m.

The following prayer was offered by the Chaplain, Rev Henry N. Couden, D. D.:

Eternal God, our Heavenly Father, in whose all-encircling love we dwell and through whose never-ending ministrations our existence is continued moment by moment, hour by hour, guide us, we beseech Thee, by the Holy Spirit to do Thy will, that we may build for ourselves characters which shall be an everlasting memorial to our Maker.

Again we are called upon to communicate the passing away of one more of the congressional family, whose long life and public career have gained for him an everlasting place in the history of his State and Nation. Comfort his friends, colleagues, and family, by the blessed promises of the Gospel of Jesus Christ, our Lord. Amen.

A message from the Senate announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. WILLIAM PINKNEY WHYTE, late a Senator from the State of Maryland.

Resolved, That the Secretary communicate these proceedings to the House of Representatives and transmit a copy thereof to the family of the deceased Senator, and that, as a further mark of respect to his memory, the Senate do now adjourn.

Mr. GILL. Mr. Speaker, it is with more than profound sorrow that I rise to call the attention of the House of Representatives to the resolution of the Senate which has just been read, announcing the death of the late Senator from Maryland, Hon.

WILLIAM PINKNEY WHYTE, and to ask the House to adopt the resolutions which I shall presently send to the Speaker's desk. Mr. Speaker, Senator WHYTE believed in the simple life. He lived the simple life, and at his death or just prior thereto he requested that the funeral services should be of the most simple character. In accordance with that request we have omitted from the resolutions which we shall ask the House to pass the usual appointment of a congressional committee to attend the funeral.

This, Mr. Speaker, is not the time to express our feelings as to our loss nor to speak of his life and his great public services.

Some time later I shall ask that a day be set apart for that purpose. I present the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Hon. WILLIAM PINKNEY WHYTE, late a Senator of the United States from the State of Maryland.

Resolved, That the Clerk communicate these resolutions to the Senate, and transmit a copy thereof to the family of the deceased Senator.

Resolved, That as a further mark of respect the House do now adjourn.

The SPEAKER. The question is on agreeing to the resolutions.

The question was taken, and the resolutions were agreed to.

Accordingly, in pursuance of the foregoing resolutions (at 4 o'clock and 24 minutes p. m.), the House adjourned.

MONDAY, *January 18, 1909*.

Mr. GILL. Mr. Speaker, I ask unanimous consent for the present consideration of the following order, which I send to the desk and ask to have read.

The Clerk read as follows:

Ordered, That there be a session of the House at 2 p. m. Sunday, February 14, for the delivery of eulogies on the life, character, and public services of the Hon. WILLIAM PINKNEY WHYTE, late a Member of the United States Senate from Maryland.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the order.

The question was taken, and the order was agreed to.

SUNDAY, *February 14, 1909.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D., as follows:

Our Father in heaven, we meet here on this sacred day to fulfill a sacred mission. We are come to pay a tribute of love and respect to men who served with distinction their country in the Congress of the United States, than which no greater service, if faithfully and efficiently done, can be rendered to one's country. Teach us how to be true to ourselves, how to be patriots in times of peace, how to be philanthropists, that we may feel bound to contribute something to our neighbor, to the public weal, and to the uplift of humanity; that we may be, indeed, followers of the world's great Exemplar, and departing, leave the world a little better than we found it.

Inspire the men who shall speak here to-day that they may bring out the sterling qualities of their departed colleagues; that they may be an example to those who shall come after them. Comfort us all with the blessed hope of the immortality of the soul, and be especially near to the families who mourn the loss of their dear ones that they may look forward with bright anticipations to a world where sorrows never come, and where they shall dwell together with their loved ones forever. And glory and honor be Thine through Him who revealed the immortality of the soul to the world. Amen.

The SPEAKER pro tempore. The Clerk will read the order adopted in respect to the late WILLIAM PINKNEY WHYTE.

The Clerk read as follows:

On motion of Mr. Gill, by unanimous consent,

Ordered, That there be a session of the House at 2 p. m. Sunday, February 14, for the delivery of eulogies on the life, character, and public services of the Hon. WILLIAM PINKNEY WHYTE, late a member of the United States Senate from Maryland.

Mr. GILL. Mr. Speaker, I offer the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of the late Hon. WILLIAM PINKNEY WHYTE, late a United States Senator from the State of Maryland.

Resolved, That as a particular mark of respect to the deceased, and in recognition of his distinguished public service, the House at the conclusion of the memorial exercises of the day shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

MEMORIAL ADDRESSES

ADDRESS OF MR. GILL, OF MARYLAND

Mr. SPEAKER: We have assembled here to-day to pay tribute to the memory of one of Maryland's noblest sons, the late Senator WILLIAM PINKNEY WHYTE, of whom it may be said in the words of Byron:

> Thy days are done, thy fame begun;
> Thy country's strains record
> The triumphs of her chosen son.

His life was like a shining star in the firmament of Maryland's history. It shed the luster of nobility of character and force in every sphere of public and private activity in which this strong and good man entered. Governor WHYTE's influence for good did not end with his life. Like a comet which in its rush through space leaves a streak of light in its trail, so his life which pulsated with goodness and strength has after its extinction left a beacon for the guidance of those who were not vouchsafed the God-given powers which were his.

In my boyhood days it was my good fortune, as friend of his sons, to be a welcome guest at his old-fashioned home in Baltimore. His hospitality to all who passed his door, and especially to the young, was as warm as it was spontaneous. It was during these visits that I was struck with the extraordinary strength of his devotion to his family and friends. To sacrifice his own comfort for the happiness of those about him was to him a pleasure. It was then also that I observed those marked characteristics which were exemplified in his conduct throughout his long and useful life—his goodness and his strength, and exquisite and most harmonious blending of the finest qualities of heart

and head. Strong enough himself to mock at the temptations and the great and petty vices to which big as well as little men easily fall victims to, he was yet big-hearted enough and sympathetic enough to look charitably upon the frailties and weaknesses of those who were not blessed with his wonderful self-control and powerful moral and intellectual discipline. He was strong enough to be self-denying in his habits, but he was too human and too broad to permit self-denial and self-sacrifice to degenerate into asceticism. Indeed, few men I know were more sociable than he. And though he was too strong to require the diversion and recreation which most men regard as essential, he was too broad not to recognize why others weaker than himself did need them.

It was not strange, then, that a man whose private life was an exemplification of the noblest attributes of the loving father, the devoted husband, and the faithful friend should have discharged his public duties with the fidelity and the ability that have earned for him the affectionate appellation, "The Grand Old Man of Maryland." At the age when most boys are still at school Governor WHYTE was obliged to begin his career in a countinghouse as a bookkeeper. His work there, though still a lad of 18, showed that thoroughness which in his later career blossomed forth into that masterful faculty to go to the bottom of every difficult problem with which his powerful mind was required to grapple. But the routine and the limitations of the countinghouse life were not compatible with the tastes and the aspirations which this youth had probably inherited from his maternal grandfather, the great William Pinkney. He therefore turned from the trials and tribulations of trade to the more exacting and more exciting life which the law holds out. Governor WHYTE's training as a law student was in most capable hands. But while I do not wish to detract from the credit that may probably be due to those who were intrusted with

Governor WHYTE's legal training, I am not inclined to attribute his magnificient career largely to that training.

We must remember that we are dealing with a rare individuality—an individuality which does not suffer itself to be submerged by initial handicaps, nor one that sends its possessor to greater heights because of initial advantages. At the outset of his legal career it was soon recognized that this young lawyer possessed a power of application, a thoroughness of method, a luminousness and strength of intellect that would make him a worthy son of the State that has given us a Wirt, a Pinkney, a Taney, a Nelson, and a Johnson. The promise of his early life was fulfilled by the performance of his later career. In 1847 we see him for the first time in the rôle of public servant, when this young man of 23 served a term in the lower branch of the Maryland legislature. Thereafter, until his death while a Member of the United States Senate, his public services and activities are so wrapped up and interwoven with the annals of our own State that when we read its history we are bound to learn much of this beautifully rounded life. Six years after his election to the legislature we find him as State comptroller, utilizing his experience as an expert accountant in placing that important office upon a basis which, since that time, it has been necessary to change but little.

The admirable system which he established in that office and the excellent manner in which he fulfilled his responsibilities elicited high praise from the legislature of his State. In 1868 we see Governor WHYTE in the United States Senate, the worthy successor of Reverdy Johnson, who was called to other fields of usefulness. With the hand of the master, we see this comparatively young man curbing the bitter feelings and passions of partisanship and upholding the waning influence and dignity of a coordinate branch of the Government. He was fearless enough to enter the lists with such master minds as

Wade, Cameron, Sumner, Conkling, Edmunds, Morton, and Conness, and he was strong enough to carry the day. There he stood, as he had always stood since that time, for the supremacy of constitutional principle against the exaltation of personal and party passion, for the equal dignity and preservation of every coordinate branch of the Government against the usurpations and the arrogance of power by any one of them. This was the first supreme test of his fearlessness and statesmanship, and he measured up to it nobly. Three years after his appointment to the Senate Mr. WHYTE was elected governor of his State, and in 1874 we find him again in the United States Senate. This time he was sent there by a legislature of which I had the honor to be a member for a full term of six years.

After the expiration of his first term we find him declining a reelection to that august body. This refusal of one of the greatest honors which a State can confer upon its worthy son was not prompted by what we could justly consider as a proper motive, the desire to provide for himself that competence to which his magnificent powers entitled and assured him, but because of the illness of his wife. So that when we look at any period of this full and tirelessly active career we find that Governor WHYTE'S energies were stimulated by his devotion to his family and his finely developed sense of responsibility to his fellow-citizens.

There can be no nobler example of this keen sense of responsibility to the public than his public career offers after his retirement from the Senate in 1880. Some men, after having enjoyed the highest favors which a discriminating electorate can bestow, are not consent to serve their fellow-citizens in a capacity less exalted than that in which they formerly represented them. We are accustomed to look upon this weakness as one of the foibles of great men. With Governor WHYTE, however, it was not so. In 1881 the exigencies of public life required him

to serve as Baltimore's mayor. In 1900 he was called to be its city solicitor. To him the call of his fellow-citizens was the equivalent of a sacred command. And he sanctified those offices, high in themselves but minor in their nature when likened to those which he had formerly filled, with the same nobility of purpose, the same inexorable rectitude, the same high powers that characterized his conduct in the governor's chair and in the national forum at Washington.

Of his splendid successes as a lawyer and an orator it is sufficient to say that he was a noble successor and representative of Maryland's famous line of lawyers. To him the profession of the law was a sacred calling, not a means for enrichment, followed during the intervals in which his manifold public duties did not absorb his attention, for throughout his long and useful life his private interests were subordinated to the requirements of public responsibility. It was therefore a crowning tribute to his worth and a striking manifestation of the gratitude of his fellow-citizens when the governor of his State appointed him to fill out the unexpired term of the late Senator Gorman and when the action of the governor was stamped with the people's approval when the legislature of Maryland in 1908 elected him to the same office. An affectionate father, a devoted husband, a faithful friend, a brilliant lawyer, and a fearless and splendid public servant—in short, a strong and a good man—this is what Governor Whyte was. It is the achievement of men such as he was that inspire the well-known and beautiful strain:

> Lives of great men all remind us
> We can make our lives sublime,
> And departing, leave behind us
> Footprints on the sands of time.
>
> Footprints that perhaps another,
> Sailing o'er life's solemn main,
> A forlorn and shipwrecked brother
> Seeing, might take heart again.

Address of Mr. Keifer, of Ohio

Mr. Speaker: It is fitting and appropriate that the Members of this House, especially of the State of Maryland, should speak of the life and character of William Pinkney Whyte, late a Senator from the State of Maryland. I offer no excuse for adding a word of tribute to his memory, although I had no close personal acquaintance with him. I knew his public history, his splendid life history, and that covered a long and successful career. I knew his character and reputation, that which attaches to a man by what we call "word of mouth." That is always truthful, no matter what the public prints may contain with reference to the individual considered.

I have a very warm feeling for the State of Maryland and her people. Almost one hundred years ago (1811) my father started from the heights around Antietam Creek, Maryland, from the then village of Sharpsburg, to the West. He carried with him the plain, simple, sturdy nature that belonged to the people with whom he had lived from birth to a period of about 27 years of age. I had the honor of commanding for almost two years one of Maryland's most gallant regiments—the Sixth Maryland Volunteers—that fought for the preservation of the Union. These things make me feel as though it was highly appropriate that I should say a word for the distinguished deceased Maryland Senator. In order that there may be no mistake about the description and history of this distinguished man, I now ask the Clerk to read from the Congressional Directory that story of his life and career therein contained, which, though not necessarily written by Senator Whyte, we all know must have had his approval as to its essential accuracy. It is mere statement or recital and not eulogistic, yet a good, though far from full, summary of his life and career.

The Clerk read as follows:

WILLIAM PINKNEY WHYTE, Democrat, of Baltimore, was born in Baltimore, Md., August 9, 1824. His grandfather, Dr. John Campbell White, a native of Ireland, and one of the United Irishmen of 1798, came to America in 1800; his maternal grandfather was William Pinkney, of Maryland, who died while United States Senator from that State in 1822; he was educated by M. R. McNally, a distinguished scholar, who had been secretary of the first Napoleon. From 1842 to 1844 he was engaged in mercantile pursuits in the countinghouse of Peabody, Riggs & Co., of Baltimore, of which house George Peabody was the founder, studied law in Baltimore, and finished his legal education at the law school of Harvard University in the class of 1844-45, was admitted to the bar in 1846 and practiced his profession in Baltimore; was judge-advocate of a court-martial at the Naval Academy in 1848. He was a representative of Baltimore city in the legislature of Maryland in 1847 and 1848, was elected comptroller of the treasury of Maryland in 1853, serving until 1855, when he declined a reelection; was a candidate for Congress in 1857 against the Know-Nothings and contested the seat of the sitting Member on account of fraud and violence at the election, and the Committee on Elections reported a resolution declaring the seat vacant, but it was laid on the table by a vote 100 to 105. He was a delegate to the Democratic national convention of 1868, which nominated Horatio Seymour for President, in the same year he was appointed by the governor United States Senator to fill the vacancy caused by the appointment of Reverdy Johnson as minister to Great Britain, in 1871 he was elected governor of Maryland for four years, but resigned in 1874 to enable the legislature to elect his successor, on his own election to the United States Senate for a full term from 1875 to March 3, 1881, to succeed William T. Hamilton, as a Democrat. In 1881, on his retirement from the Senate, he was elected mayor of Baltimore without opposition.

In 1887 he was elected attorney-general of Maryland, serving until 1891. He was appointed by President Harrison a delegate to the Congress of South American Republics, but declined on account of professional engagements. During the years 1897 and 1898 he was chairman of a commission established by the city to frame a new charter for the city of Baltimore. In 1874, in the boundary dispute between Maryland and Virginia, he appeared by appointment of the governor as counsel for his State before the arbitration board, composed of Judge Jeremiah S. Black; Governor Jenkins, of Georgia; and Senator Beck, of Kentucky. In the same year the degree of LL. D. was conferred on him by the University of Maryland, and subsequently he received a like degree from St. Johns College. In 1900 he was appointed city solicitor of Baltimore, which office he resigned in 1903, was appointed June 8, 1906, by the governor of Maryland, United States Senator, to fill the vacancy occasioned by the death of Hon. Arthur Pue

Gorman, and took his seat June 11, to serve until the legislature of Maryland shall elect a successor for the unexpired term, ending March 3, 1909.

When the Democratic state convention, on August 8, 1907, adopted the plan of selecting nominees for United States Senators and declared by unanimous resolution that it should be binding on the Democrats elected in any county or district to the next legislature to cast their votes for the candidates for United States Senator who shall have received the greatest number of votes cast at such primary election in such county or district, he announced his candidacy for the balance of the term to succeed himself. He received 66,290 votes at the primary, carrying every county and district in the State without opposition, insuring his election in January, 1908. His term of service will then expire March 3, 1909.

Mr. Speaker, WILLIAM PINKNEY WHYTE died a United States Senator March 17, 1908, at the age of almost 84 years. Such a long life is rarely allotted to man; and to live in this Republic for such a period is to have lived through the best and most important period of the world's history. I have often reflected over the matter of the greatness of individual men of the present day compared with that of times gone by. We are apt to minimize our own great men. It was not hard, Mr. Speaker, for a man to be great in barbaric or semibarbaric times, nor yet to be great in the bursting out of civilization in Europe, when it came first out of the forests of Germany and France and from early tribal relations. A great Saxon, or, indeed, a great Roman, always had behind him masses that were of the commonest, illiterate class. When we come to our own period, we find that a great man has to be great among greatness, and when we speak of WILLIAM PINKNEY WHYTE as a great man of his day and generation, we must remember his ancestry and the great men all around him. He came from a good ancestry, a great ancestry, I can truthfully say, on both his maternal and paternal sides. William Pinkney, a great statesman, lawyer, and early patriot of this country, died while a United States Senator, in 1822, two years before the birth of WILLIAM PINKNEY WHYTE, his grandson.

WILLIAM PINKNEY WHYTE grew up among the learned men of his State and country and had to compete with them in mercantile relations, in social relations, in general business relations, as an attorney and counselor at law and as a statesman, and in all these things he stood with the stronger and greater of them. He succeeded in the United States Senate at one time Reverdy Johnson, a great Marylander, respected and known all over the country as a great patriot-statesman. The statesmen of Maryland of the time of the civil war had their difficulties multiplied somewhat over that of great men and statesmen in some of the Northern States. Maryland was a border slave State, and when the civil war came that was to try the strength of our constitutional unity, they had difficulties to overcome, perhaps prejudices, that did not attach to men of other parts of the United States. These men in the light around them and with the conditions about them did their duty to their country through the civil war and since the civil war, and while I belong and have belonged to a party opposed to the one to which WILLIAM PINKNEY WHYTE was always attached, I have always had the most profound respect for his character and for the character of his associates in his own State. We are here, then, Mr. Speaker, to-day simply to testify to one of our great statesmen. A Member from Maryland speaks properly of WILLIAM PINKNEY WHYTE as belonging to the State of Maryland, but he belonged to the Union—to the great American Republic

Address of Mr. Talbott, of Maryland

Mr. Speaker: We are called upon once more to speak of the illustrious dead.

The late Senator William Pinkney Whyte was of a most distinguished lineage. His grandfather, William Pinkney, was, in his time, the leader of the American bar. Chief Justice Taney, who had listened to arguments by Luther Martin, Daniel Webster, and the other giants of the time, declared he had never heard Mr. Pinkney's equal; and he was as preeminent as a statesman as he was as a lawyer. Senator Whyte, if he had one ambition, wanted to equal the standard set by his great ancestor, and no one who knew him doubts that he, in a very great degree, realized his ambition, for he was undoubtedly eminently safe as a counselor, one of the most brilliant advocates in his State, and, before a jury, without a peer. The story of his life for its last fifty years is the history of Maryland, and his death closed a great career, which has had few like it in the history of the State he loved and served so well. While many years of his long life were occupied in public office, he was not regarded as an ambitious or self-seeking man, and I personally believe that with the exception of his election as governor and his first election by the legislature to the Senate, the offices he held, in my time at least, came to him because he was worthy of them, and men knew he could be trusted and delighted in honoring him, without effort on his part.

Of his integrity there has never been a suspicion or shadow of doubt, and he discharged the duties of every office to which he was elected or appointed without one adverse criticism. No man ever heard an official act of the late William Pinkney Whyte censured. Always correct, always honest, he served

the people faithfully. He was singularly free from avarice or greed, and never appeared to consider the profits of an office as worthy of his attention, and it has been most frequently commented upon by those who knew that his legal fees were out of all proportion to the eminent services rendered his clients.

In his private life Senator WHYTE was pure and blameless. As a Christian gentleman he was without reproach, with convictions of the life to come and the truths of his religion, which were ever firm and unshaken. He was charitable beyond his means. Most undoubtedly his last election to the Senate was the cause of the greatest gratification to him. Coming as it did, unanimously, in his old age, it showed that although naturally a man of his character had made enemies and known opposition during certain periods of his long and splendid life, at the end he not only was the best known, but the best loved man in Maryland, which was a fitting crown of a life largely devoted to the public service of his State and country.

His death caused more than a mere passing regret, for he had won a warm and loving place in every Maryland heart, even among those who did not know him personally, and there was among our people a feeling of genuine grief when he passed away.

Address of Mr. Goulden, of New York

Mr. Speaker: In this day of our witness to the memory of Senator William Pinkney Whyte, I leave to my colleagues more fortunate in his close personal acquaintance the tributes of intimate and affectionate association. The State of Maryland is doubly dear to my heart as the scene of my earliest recollections and boyhood days and as the field of my activities, as well as the birthplace of many of my ancestors of sacred memory. As a son of Maryland I have taken pride in the achievements of Senator Whyte and a delight in helping to honor him. On the several occasions when I called on him for assistance in the passage of bills introduced by me I always found him willing and ready to help.

As a man of high aims and ideals, as a citizen of great legal and statesmanlike attainments and experience, Senator Whyte was exceptionally distinguished. He was such a man as the citizens of any State might be proud to honor, and in giving him so many marks of their esteem and confidence, my fellow-citizens of Maryland and of the country were reflecting honor on themselves. That they were justified in their choice, that he was tried and never found wanting, the open book of his life and high honored career amply testifies.

You have heard of the great and stirring events in which he figured. Let me dwell upon what is to me the greatest lesson of his life, the thing for which I revere him most, and which, in my opinion, should be the greatest cause of sorrow at his loss.

By heritage and birth he came to us from our revolutionary fathers, and he was thus a link which bound us to the glorious

past; but even more by the cast and bent of his mind he stood for those things which make the glory of the past and the crown of our forefathers; they gave us of their best in giving us the Constitution, and it was for this best that Senator WHYTE stood, and which made him such a strong link and such a representative one between the times of our forefathers and these our days. He was always for the Constitution; for the Constitution as it is, and not as we would make it; his best thought, his deepest and most profound convictions, the essence of his life, were given to the upholding of that instrument, and some of the most noteworthy speeches he uttered were in defense of its integrity and plain intention.

We have fallen upon restless times, and we scarcely know wherein we stand from day to day in the fierce cross currents of opinion on our representative institutions and the framework of our Government. We are mightily rocked in the sea of interpretations and all but drowned in the torrents of authority. But the steadfastness of Senator WHYTE was as a beacon light in such times, a clear, cold light to give courage and hope of succor. He had infinite faith in the fundamental law and its plain interpretation; faith in the intention of the people to place power only in the hands of their chosen representatives as a bulwark against encroachments from whatsoever source. He withstood the storms of opinion like a mighty oak and defended the rights and liberties of the people, who instinctively trusted and honored him.

Strict constructionist he may have been; conservative and wise we knew him to be; but we wish from our hearts that there were more of him in these fevered days. His loss is a great one to his people and to his State, but a greater to the institutions he so fittingly represented and so eloquently defended. At the passing of such a man I could cry out with David, lamenting over Saul, "How are the mighty fallen!" did

I not know that his spirit lives on; that the things he stood for will be the better for his labors; that the true representative government he pleaded for and prayed for will be the more able to outlast the storms beating down from high places.

Because his life meant all this, because he died while serving his people and country in a capacity he loved, and because his lesson and his influence will live on we revere him and give testimony here to-day, from full hearts, of the love we bore him and of the honor and respect in which his memory is held.

Mr. GILL. Mr. Speaker, I move that the House now take a recess until 3 o'clock.

The SPEAKER pro tempore. Without objection, the House will stand in recess until 3 o'clock.

There was no objection.

Accordingly the House took a recess until 3 o'clock.

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